

No. **6F.A (5)** 1st Reading DEC 10 2019 **Ordinance**
No. Public Hearing JAN 08 2020 **of the**
No. **6PSF-B** 2nd Rdg. and Final Passage **City of Newark, N.J.**

Date to Mayor JAN 09 2020
Date Returned JAN 13 2020
Date Resubmitted to Council
Date Advertised 1st Reading 12-13-2019

No. Reconsidered
Approved as to Form and Legality on Basis of Facts Set Forth

.....
Corporation Counsel

Council member *Council of the whole* presents the following Ordinance:

Final Reading
Factual contents certified to by *Angela P. Jeter* FACCE
Title

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3
4 AN ORDINANCE TO RETROACTIVELY AUTHORIZE THE NAME CHANGE OF THE
5 BRICK CITY DEVELOPMENT CORPORATION ("BCDC") TO NEWARK
6 COMMUNITY ECONOMIC DEVELOPMENT CORPORATION ("NCEDC") AND FROM
7 NEWARK COMMUNITY ECONOMIC DEVELOPMENT CORPORATION ("NCEDC")
8 TO "INVEST NEWARK" ("IN").
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12 WHEREAS, Newark Community Economic Development Corporation
13 ("NCEDC") (formerly the Brick City Development Corporation ["BCDC"]) is an entity
14 legislatively created by the City of Newark as a non-profit corporation, to carry out
15 various functions and/or duties on behalf of the City of Newark, and governed by a
16 charter and adopted bylaws; and
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19 WHEREAS, on November 14, 2007, the board of BCDC voted to change its
20 name to NCEDC and filed a Certificate of Amendment to the Certificate of
21 Incorporation form with the New Jersey Division of Revenue & Enterprise Services;
22 and
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25 WHEREAS, on June 20, 2019, the board of NCEDC voted to change its name
26 to Invest Newark and filed a Certificate of Amendment to the Certificate of
27 Incorporation form with the New Jersey Division of Revenue & Enterprise Services;
28 and
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31 WHEREAS, Ordinance 6PSF-h, October 3, 2012, requires that in the event
32 NCEDC intends to change or amend its charter or by-laws, it shall be required to submit
33 any proposed changes/amendments to the City of Newark Administration and the
34 Municipal Council of the City of Newark, and that in order for any changes/amendments
35 to become effective they shall require prior review and approval by the Municipal
36 Council by Ordinance or Resolution as law may provide; and
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39 WHEREAS, the Mayor and the Municipal Council is desirous of retroactively
40 authorizing BCDC and NCEDC to take whatever steps that are necessary to change
41 their names in their charter and bylaws in accordance with Ordinance 6PSF-h,
42 October 3, 2012.
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45 NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF
46 THE CITY OF NEWARK, NEW JERSEY, THAT:
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49 1. Pursuant to Ordinance 6PSF-h, October 3, 2012, the Municipal Council
50 retroactively authorizes Brick City Development Corporation ("BCDC") to change its
51 name to ("NCEDC") and take whatever steps are deemed necessary to amend its
52 charter and bylaws.
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55 2. Pursuant to Ordinance 6PSF-h, October 3, 2012, the Municipal Council
56 retroactively authorizes Newark Community Economic Development Corporation
57 ("NCEDC") to change its name to "Invest Newark" and take whatever steps are deemed
58 necessary to amend its charter and bylaws.
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No. 6PSF-B

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Date JAN 09 2020

3. If any provision of this Ordinance or application thereof to any person(s) or circumstance is adjudged invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or applications of the Ordinance that can be given effect without the invalidated provision or application, and to this end, the provisions of this Ordinance are declared severable.

4. The Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance retroactively authorizes Newark Community Economic Development Corporation ("NCEDC") (formerly known as Brick City Development Corporation [BCDC]), to change its name to "Invest Newark" ("IN") in its charter and bylaws and retroactively authorizes Brick City Development Corporation ("BCDC") to change its name to Newark Community Economic Development Corporation ("NCEDC") in its charter and bylaws.

CERTIFIED TO BY ME THIS

JAN 13 2020

DO NOT USE SPACE BELOW THIS LINE

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE | | | | | | | | | | RECORD OF COUNCIL VOTE FOR RECONSIDERATION | | | | | | | | | |
|---|-----|-----|----|----|---|-----|-----|----|----|--|-----|-----|----|----|---|-----|-----|----|----|
| Council Member | AYE | NAY | NV | AB | Council Member | AYE | NAY | NV | AB | Council Member | AYE | NAY | NV | AB | Council Member | AYE | NAY | NV | AB |
| Amador | ✓ | | | | Osborne | ✓ | | | | Amador | | | | | Osborne | | | | |
| Gonzalez | ✓ | | | | Quintana <small>Vice President</small> | ✓ | | | | Gonzalez | | | | | Quintana <small>Vice President</small> | | | | |
| James | ✓ | | | | Ramos, Jr. | ✓ | | | | James | | | | | Ramos, Jr. | | | | |
| McCallum, Jr. | ✓ | | | | Crump President | ✓ | | | | McCallum, Jr. | | | | | Crump President | | | | |
| McIver | ✓ | | | | | | | | | McIver | | | | | | | | | |
| ✓ - Indicates Vote | | | | | AB - Absent | | | | | NV - Not Voting | | | | | | | | | |

Adopted on first reading at a meeting of the Council of the City of Newark, N.J., on DEC 10 2019
 Adopted on second and final reading after hearing on JAN 09 2020

Approved _____
 Rejected By _____
 _____ Mayor
 _____ Council President
 _____ City Clerk

This Ordinance when adopted must remain in the custody of the City Clerk. Certified copies are available.